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May 15, 2020

VIA ECF

The Honorable Patrick J. Schiltz
United States District Court
14E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Re: *Doe, et al. v. City of Apple Valley*
Court File No. 20-cv-00499 (PJS-DTS)

Dear Judge Schiltz:

Enclosed is a copy of the new Apple Valley Ordinance No. 1075 which we received today. Ordinance No. 1075 makes two further amendments to Section 130.08 of the City Code. First, it amends the "Public park or playground" category of protected zones in Section 130.08(C)(2), which now reads: "Public park with playground equipment or other public facility designed or used for youth activities, including recreation centers, ice arenas, and aquatic centers, as designated in Apple Valley's official parks list." (Also enclosed is a copy of Apple Valley's official parks list, which Section 130.08(C)(2) references.) Second, it amends the "place of worship" category of protected zones in Section 130.08(C)(3), which now reads: "A public place of worship that is maintained and controlled by a religious organization/body and at which regular educational programs for children are provided (e.g. Sunday school)."

Apple Valley does not believe that this ordinance amendment changes the applicability of Section 130.08 to John Does 1, 2, or 4.

Very truly yours,

s/Monte A. Mills

Monte A. Mills

MM/jak
Enclosure

CITY OF APPLE VALLEY
ORDINANCE NO. 1075

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA,
AMENDING CHAPTER 130 OF THE CITY CODE ENTITLED "GENERAL
OFFENSES" BY AMENDING SECTION 130.08

The City Council of Apple Valley ordains:

Section 1. Chapter 130 of the Apple Valley City Code is amended by revising Section 130.08 (C) to read as follows:

§ 130.08 SEXUAL OFFENDER RESIDENCE LOCATION RESTRICTION.

* * * *

(C) *Location of Residence.* It is unlawful for any designated offender to establish residence or otherwise reside within one thousand five hundred feet (1,500') of any of the following uses (hereinafter referred as "protected zones"):

- (1) School for pre-K through Grade 12, public or private;
- (2) Public park with playground equipment or other public facility designed or used for youth activities, including recreation centers, ice arenas, and aquatic centers, as designated in Apple Valley's official parks list;
- (3) A public place of worship that is maintained and controlled by a religious organization/ body and at which regular educational programs for children are provided (e.g., Sunday school); and
- (4) Licensed child care center (excluding in-home daycare providers).

For purposes of determining the minimum distance separation, the requirement shall be measured by following a horizontal line from any property line of the lot or parcel on which the subject residence is located to the nearest property line of subject use of a prohibited zone identified above.

The Police Chief shall maintain an official map showing approximate locations in which a designated offender is prohibited to reside, as defined by this Section. The Police Chief shall update the map at least annually to reflect any changes in the location of prohibited zones. The actual measurement of minimum distance separation between the residence and the use within the prohibited zone shall govern.

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Section 2 Effective Date. This ordinance shall take effect upon its passage and publication.

PASSED by the City Council this 14th day of May, 2020.


Mary Hamann-Roland, Mayor

ATTEST:


Pamela J. Gackstetter, City Clerk



			INDEX	ACRES	PLAYGROUND EQUIPMENT	BALL PLAY	POOLS	PLAY FIELDS	BASKETBALL GAME COURTS	TENNIS COURTS	VALLEY BALL COURTS	POULTEBALL COURTS	HORSESHOE PITCH	PICNIC TABLES	SKATE PARK	HOCKEY LAUNCH	HOCKEY RINKS	SKATING RINKS	SKIS BUILDING
1	ALUMAGNET / DISC GOLF 211 Ridgeview Drive		A5	85.0															
2	APPLE GROVE 14904 Hayes Road		B6	11.6															
3	APPLE PONDS 15834 Garrett Drive		D8	11.0															
4	APPLE VALLEY COMMUNITY CENTER 14603 Hayes Road		B6																
5	APPLE VALLEY EAST 15335 Dunbar Avenue		I7	11.6															
6	APPLE VALLEY FAMILY AQUATIC CENTER 14421 Johnny Cake Ridge Road		F5																
7	APPLE VALLEY SENIOR CENTER 14601 Hayes Road		B6																
8	APPLE VALLEY SPORTS ARENA 14452 Hayes Road (adj. to Apple Valley High School)		C5																
9	APPLE VALLEY TEEN CENTER 14255 Johnny Cake Ridge Road		F5																
10	BELMONT 118 Belmont Road		B2	3.4															
11	BRIAR OAKS 12275 Safari Pass		D1	16.4															
12	CARROLLWOOD 7861 142nd Street W.		C5	5.1															
13	CEDAR ISLE 14400 Freepoint Trail		E5	8.5															
14	CEDAR KNOILLS 7094 127th Street W.		D2	10.3															
15	CHAPARRAL 137 Chaparral Drive		B2	9.7															
16	COBBLESTONE LAKE 15601 Cobblestone Lake Parkway		I8	25.8															
17	DELANEY 4745 147th Street W.		H6	7.9															
18	DIAMOND PATH 14869 Diamond Path		I6	20.3															
19	DUCHESS 947 Duchess Lane		B7	3.0															
20	FAITH 15139 Ferris Avenue		F4	11.0															
21	FARQUAR / FISHING PIER 13266 Pilot Knob Road		H3	11.0															
22	FINDLAY 12998 Findlay Way		F3	3.6															
23	GALAXIE 13900 Galaxie Avenue		D4	12.6															
24	GREENING 852 Greening Drive		B7	3.4															
25	GREENLEAF PARKS / PATHWAYS 13441 Flint Lane		E3	15.0															
26	HAGEMEISTER 13000 Johnny Cake Ridge Road		G3	8.7															
27	HAYES 14601 Hayes Road		B6	25.0															
28	HAYES PARK ARENA 14595 Hayes Road		B6																
29	HERITAGE 12852 Hamlet Avenue		C2	3.6															
30	HUNTINGTON 12960 Diamond Path		I2	10.3															
31	JOHNNY CAKE RIDGE PARK (EAST) 5800 140th Street W.		G5	42.0															
32	JOHNNY CAKE RIDGE PARK (WEST) 14139 Johnny Cake Ridge Road		F5	125															
33	KELLER 1105 Whitney Drive		A7	3.0															
34	KELLEY / SPLASH PAD SITE 6855 Fortino Street		E7	5.6															
35	LAC LAVON / FISHING DOCK SITE 15610 Highway Drive		B8	5.5															
36	FRED J. LARGEN 7968 142nd Street W.		D5	7.0															
37	LONG LAKE 13098 Euclid Avenue		G3	5.4															
38	LONGRIDGE 8530 160th Street W.		B8	15.0															
39	MOELLER 13750 Johnny Cake Ridge Road		G4	12.6															
40	NEWELL 794 Newell Drive		C7	1.5															
41	NORDIC 13161 Foliage Avenue		E3	7.2															
42	PALOMINO 12765 Pennock Avenue		C2	4.6															
43	PENNOCK 15445 Pennock Avenue		C7	3.2															
44	QUARRY POINT 15725 Pilot Knob Road		G8	32.0															
45	REDWOOD 311 150th Street W.		A6	12.0															
46	REDWOOD COMMUNITY CENTER / POOL 311 150th Street W.		A6																
47	REGATTA 15596 Finch Avenue		F8	9.7															
48	ROBERT L. ERICKSON 4870 140th Street W.		I5	4.0															
49	SCOTT PARK / ARCHERY SITE 14125 Galaxie Avenue		D5	8.0															
50	SUMMERFIELD 13866 Dublin Road		H4	7.1															
51	SUNSET PARK / OVERLOOK 13681 Holyoke Lane		A4	5.1															
52	TINTAH 4839 142nd Street W.		I5	21.4															
53	VALLEY MIDDLE 1040 Baldwin Drive		A7	7.0															
54	VALLEYWOOD GOLF COURSE / CLUBHOUSE 4851 McAndrews Road		I1	190															
55	WALLACE 13720 Pennock Avenue		C4	3.5															
56	WILDWOOD 8266 137th Street W.		B4	8.2															